

AMERICAN SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS,

Plaintiff,
v.

THE ANIMAL AND PLANT HEALTH
INSPECTION SERVICE and THE UNITED
STATES DEPARTMENT OF AGRICULTURE,

Defendants.

19 Civ. 3112 (NRB)

**STIPULATION ~~AND PROPOSED ORDER~~ REGARDING DEADLINE TO FILE
MOTION FOR FEE RECOVERY**

WHEREAS, on March 25, 2021, the Court issued a Memorandum and Order granting in part and denying in part each of the parties' cross-motions for summary judgment, ECF No. 62, and on April 16, 2021, the Court issued an Order that if no notice of appeal is filed within 60 days of the date of this Order, the agencies shall produce certain information identified in the Order within 65 days of the date of the Order, ECF No. 64;

NOW, THEREFORE, the parties propose the following briefing schedule:

1. In the event that no Party files a notice of appeal, Plaintiff's deadline to file a motion for attorneys' fees and costs is 30 days following the deadline for filing a notice of appeal, or
2. In the event that any Party files an appeal, Plaintiff's deadline to file a motion for attorneys' fees and costs is 30 days following final disposition of this case following appeal.

/s/ Robert Hensley

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Attorney for Defendants

SO ORDERED:

Dated: April 28, 2021
New York, New York



NAOMI REICE BUCHWALD
United States District Judge